

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SUNTRUST BANK

08 Civ. 1042 (CLB)

Plaintiff,

-against-

2003 29-FOOT SALT SHAKER MOTOR
YACHT "MASABETH", Official Number
1139586, et al.,

ORDER APPOINTING
SUBSTITUTE CUSTODIAN

Defendants.
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Upon consideration of the Motion for Order Appointing Substitute Custodian filed by the plaintiff, SunTrust Bank, and the affidavit and agreement of the substitute custodian, Lab Marine, Inc., filed herewith,

IT IS HEREBY ORDERED that the United States Marshal for the Federal District Court for the Southern District of New York be, and he hereby is authorized and directed upon his seizure of said defendant vessel, her engines, tackle, equipment, furniture, accessories, and all other necessities thereunto appertaining and belonging, pursuant to said Warrant for Arrest, to surrender the possession thereof to Lab Marine, Inc., as substitute custodian, and that upon such surrender the Marshal shall be discharged from his duties and responsibilities for the safekeeping of said vessel and held harmless from any and all claims whatever arising out of said substituted possession and safekeeping by the Custodian.

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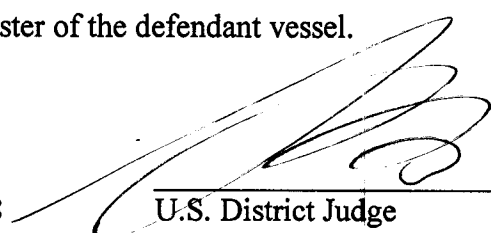
IT IS FURTHER ORDERED that Lab Marine, Inc., substitute custodian, be and hereby is appointed the custodian of said vessel to retain the same in its custody for possession and safekeeping, all for a sum, including storage and routine services required for the safekeeping of the defendant vessel at the rate of \$20 per day as set out in its agreement and affidavit to accept and maintain custody.


IT IS FURTHER ORDERED that upon receiving the vessel, the substitute custodian, Lab Marine, Inc., shall retain said defendant vessel in its custody until further order of this Court.

IT IS FURTHER ORDERED that all expenses for the custodianship and safekeeping of said defendant vessel shall be paid by plaintiff to the substitute custodian and deemed administrative expenses herein.

IT IS FURTHER ORDERED that plaintiff's attorney will serve a copy of this order on the owner or master of the defendant vessel.

Dated: January 31, 2008


U.S. District Judge


Part I

Presented by:
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